

[Please amend claim 17 as follows:]

Claim 17 (once amended) A method of treating hyperlipidemia comprising the step of administering [administration of] a therapeutically-effective amount of a composition of claim 3 to a patient.

[Please amend claim 18 as follows:]

Claim 18 (once amended) A method of treating hyperlipidemia comprising the step of administering [administration of] a therapeutically-effective amount of a composition of claim 14 to a patient.

Remarks

The Present Invention

The invention is directed to a solid formulation comprising a lipid-regulating agent dissolved or dispersed in at least one oil and an emulsifier or emulsifier blend, the resulting mixture being capable of forming an emulsion upon dilution in an aqueous medium.

The Restriction Requirement

The Office Action made a restriction requirement under 35 U.S.C. Sec. 121 between Group I (claims 1-15, drawn to a composition and delivery system) and Group II (claims 16-18, drawn to a method of treating hyperlipidemia). Applicants hereby elect to prosecute Group I, claims 1-15 without traverse.

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Modifications of Claims

The modifications of claims 1, 7, 9 and 16-18 made by this amendment are unrelated to prior art rejections, but rather have been made to clarify the claims by using Markush format and eliminating matter in parentheses, among other changes. These amendments therefore add no new matter to the specification; and entry into the record is respectfully requested.

Conclusion

The Applicants respectfully request favorable consideration of the pending claims. It is urged that the subject application, as amended, is in condition for allowance. If any fees are incurred as a result of the filing of this paper, authorization is given to charge Deposit Account Number 04-1644.

Respectfully submitted,

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